

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

1:05-cr-10081-MLW-ALL

UNITED STATES OF AMERICA

v.

ALEX S. NEWMAN

MOTION TO EXCUSE PRESENCE OF DEFENDANT AT FINAL PRE-TRIAL

The Defendant, Alex Newman, through counsel, respectfully moves that this Honorable Court excuse his presence at the pre-trial conference scheduled for April 7, 2006.

In support of the within motion, counsel for the defendant states as follows:

1. The Defendant resides in the State of California.
2. Both of his parents have been quite ill and have required periodic hospitalizations since the first of the year. As a result it is his desire to minimize the period of time that he is unavailable to them.
3. The Defendant has limited financial resources. He will be incurring substantial costs and fees in connection with his travel and lodging in Boston during the trial. It will be a financial hardship for him to travel to Boston for the final pre-trial.
4. The Defendant has been in constant contact with counsel in preparation for trial and will be informed as to the events of the final pre-trial.

WHEREFORE, the Defendant, through counsel, respectfully requests that his presence at the pre-trial conference be excused.

Respectfully submitted,
Alex Newman
By his attorney,

/s/ Juliane Balliro
Juliane Balliro (BBO#028010)
WolfBlock
One Boston Place
Boston, MA 02108
617-226-4000

Dated: April 6, 2006

CERTIFICATE OF SERVICE

I hereby certify that, on April 6, 2006, I caused a copy of the foregoing to be filed electronically and via electronic mail to:

AUSA Robert M. Kinsella
53 Pleasant St., 4th Floor
Concord, New Hampshire 03301
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/s/ Juliane Balliro
Juliane Balliro